

Spinoza, Law and Gender Equality in Politics

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Abstract : In 'Ethics' and in 'A Political Treatise' Spinoza presents his very influential take on natural law and the principles that guide his philosophical work and observations. Spinoza's ideas about rationalization, God, and ethical behavior are undeniably relevant to many debates in the field of legal theory. In addition, it is important to note that Spinoza's takes on body, mind, and imagination played an important role in building a certain way of understanding the female figure in western societies and of their differences in regards to the male figure. It is important to emphasize that the constant and insistent presentation of women as inferior and irrational beings corroborates the institutionalization of discriminatory public policies and practices legitimized by the legal system that cooperates with the aggravation of gender inequalities. Therefore, his arguments in relation to women and their nature have been highly criticized, especially by feminist theorists during the second half of the 21st century. The questioning of this traditional philosophy -often phallogocentric- and its way of describing women as irrational and less capable than men, as well as the attempt to reformulate postulates and concepts, takes place in such a way as to create a deconstruction of classical concepts. Some of the arguments developed by Spinoza, however, can serve as a basis for elucidating in what way and to what extent the social and political construction of the feminine identity served as a basis for gender inequality. Thus, based on the observations elaborated by Moira Gantes, the present research addresses the relationship between Spinoza and the feminist demands in the juridical and political spheres, elaborating arguments that corroborate the convergence between his philosophy and feminist critical theory. Finally, this research aims to discuss how the feminists' critics of Spinoza's writings have deconstructed and rehabilitated his principles and, in doing so, can further help to illustrate the importance of his philosophy -and, consequently, of his notes on Natural Law- in understanding gender equality as a vital part of the effective implementation of democratic debate and inclusive political participation and representation. In doing so, philosophical and legal arguments based on the feminist re-reading of Spinoza's principles are presented and then used to explain the controversial political reform in Brazil, especially in regards to the applicability of the legislative act known as Law n. 9.504/1997 which establishes that at least 30% of legislative seats must be occupied by women.

Keywords : natural law, feminism, politics, gender equality

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